

REMARKS

The Examiner has repeated the rejection of claims 1, 2, 7, 8, 13, 14 and 28 under 35 U.S.C. §102(a) as being anticipated by Masato et al. for reasons set forth therein. The Examiner has also repeated rejections relating to claims 3-6, 9-12, 15-21, 29 and 30 under 35 U.S.C. §103 as being unpatentable over Masato et al. for reasons set forth therein. In paragraph 5 the Examiner has rejected claim 22 under 35 U.S.C. §103 as being unpatentable over Abt et al. in view of Onishi and Erikson and further in view of Masato et al. for the reasons set forth therein.

The Examiner, in paragraph 6, has responded to Applicants' arguments regarding the above rejection as being non-persuasive for the reasons set forth in paragraph 6. First, with regard to the arguments with regard to claims 7 and 13 that a separate label has not been positively claimed, independent claims 7 and 13 have been amended to positively set forth that the invention is directed to an official postal product assembly that includes a label and an official postal product which is designed to receive the label. Thus, these claims positively recite a separate label and thus should be considered to be patentably distinct over the cited art in that the Masato et al. reference clearly does not teach a separate label as taught and claimed by Applicants in claims 7 and 13. Claim 28 has been cancelled.

Examiner's response to Applicants' previous amendment states that Masato discloses a substrate having a first image area wherein an official postal indicia 11, 12 is provided and a second image area having a personal image 13. The Examiner further states that the intent of Masato's invention is to prevent any type of marking on the image area and therefore is inherent that a coating is placed on the image area that prevents marks.

Enclosed herewith Applicants have provided an additional translation that has been made by a professional translator with regard to Masato et al. reference. It is clear from this translation, as Applicants have previously noted, that there is no protective layer over the image area as taught and claimed by Applicants. Applicants refer the Examiner to page 6, last full paragraph where it is disclosed that the pattern area 21 is for printing a photograph, background etc. The pattern area 21 is water resistant which makes it difficult for application of a postmark. However, this reference does not teach or suggest the providing of the protective coating as taught and claimed by Applicants. The protective coating of the present invention is applied over the image area so as to prevent any permanent marking to the image area by postal indicia. There is no teaching or suggestion that the prior provide such a protective coating. As set forth in independent claim 1 a protective coating is provided over the image area such that an official cancellation mark placed over the second area will not permanently adhere to the

personal image area. There is no such providing of a protective coating as taught and claimed by Applicants. Further, as set forth in independent claims 7 and 13, there is provided a separate label that is placed on the official postal product. The label having a protective coating such that the official postal cancellation mark will not permanently adhere thereto. Clearly, the Masato et al. reference does not teach or suggest the use of the separate label as taught in independent claims 7, 13. Accordingly, it is respectfully submitted that these claims are not taught by the cited reference for this additional reason.

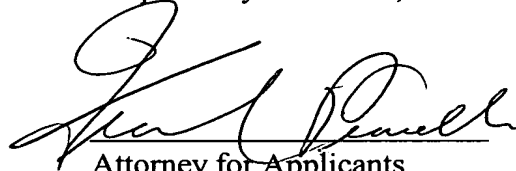
Claim 22 is directed to a kit which includes the official postal product and a sheet containing a plurality of labels each having a personal image thereon having a protective coating. There again, the Masato et al. reference does not teach or suggest the invention as taught and claimed by Applicants. Independent claims 23 and 26 are also patentably distinct for the same reasons as previously discussed.

The remaining references cited by the Examiner do not teach anything which would render Applicants' invention obvious over the prior art. Further, it is respectfully submitted there is nothing that teaches or suggests the combining of the cited references as suggested by Examiner.

CONCLUSION

It is respectfully submitted that in view of the above amendments and remarks that this application is now in condition for allowance, proper notice of such is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Frank Pincelli', written over a horizontal line.

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Version With Markings to Show Changes Made

In the Claims:

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Claims 28-30 and 36 have been cancelled.

7. (Once amended) An official postal product assembly comprising:

~~a first image area having an official postal indicia;~~
~~a second image area for receiving a separate label having a~~
personal image thereon, said label being made of a material such that an official
postal cancellation mark will not be permanently adhered thereto; and
~~official postal product having a first image area having an official~~
postal indicia and a second image area for receiving said separate labels.

8. (Once amended) An official postal product assembly according to claim 7 wherein said official postal product comprises a postal stamp.

9. (Once amended) An official postal product assembly according to claim 7 wherein said protective coating is made of methylcellulose.

10. (Once amended) An official postal product assembly according to claim 7 wherein said protective coating is made of one of the following materials:

poly(vinylformal);
poly(vinyl benzyl);or
poly(vinyl acetyl).

11. (Once amended) An official postal product assembly according to claim 7 wherein said official postal product is an envelope.

12. (Once amended) An official postal product assembly according to claim 7 wherein said official postal product is a postcard.

13. (Once amended) An official postal product assembly comprising:
~~a first image area having an official postal indicia;~~
~~a second image area for receiving a separate label having a~~
personal image thereon, said image having a protective coating thereon such that
an official postal cancellation mark will not be permanently adhered thereto; and
an official postal product having a first image area having an
official postal indicia and a second image area for receiving said separate label.

14. (Once amended) An official postal product assembly according to claim 13 wherein said official postal product comprises a postal stamp.

15. (Once amended) An official postal product assembly according to claim 13 wherein said protective coating is made of methylcellulose.

16. (Once amended) An official postal product assembly according to claim 13 wherein said protective coating is made one of the following materials:

poly(vinylformal);
poly(vinyl benzyl);or
poly(vinyl acetyl).

17. (Once amended) An official postal product assembly according to claim 13 wherein said official postal product is an envelope.

18. (Once amended) An official postal product assembly according to claim 13 wherein said official postal product is a postcard.

19. (Once amended) An official postal product assembly made according to claim 13 wherein said first or second image areas are made using an inkjet printer.

20. (Once amended) An official postal product assembly made according to claim 13 wherein said first or second image areas are made using an a wa~~x~~ sublimation printer.

21. (Once amended) An official postal product assembly made according to claim 13 wherein said first or second image areas are made using an electrophotographic printer.

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